

REMARKS

Claims 1, 8, 15 and 22-24 are pending in this application. By this Amendment, claims 1, 8 and 15 have been amended, 22-24 have been added and claims 2, 3, 5-7, 9, 10, 12-14, 16, 17 and 19-21 have been canceled. Claims 1, 8 and 15 are independent. Reconsideration of the application is respectfully requested.

I. Amendment

Claims 1, 8 and 15 have been amended for better clarity. Support for new claims 22-24 can be found in the specification at, for example, original claims 2, 6 and 7. No new matter is added.

II. Interview

The courtesies extended to Applicant's representative by Examiner Park at the personal interview held May 28, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

III. Objection To The Claims

The Office Action objects to claim 1. As discussed during the interview, claim 1 has been amended to obviate the objection. Accordingly, withdrawal of the objection is respectfully requested.

IV. Rejection Under 35 U.S.C. §101

The Office Action rejects claims 8-10 and 12-14 under 35 U.S.C. §101. As discussed during the interview, claim 8 has been amended to obviate the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

V. Rejection Under 35 U.S.C. §112

The Office Action rejects claims 1, 8 and 15 under 35 U.S.C. §112, first paragraph.

Regarding the feature "the incompatibility detection processing including image processing," as discussed during the interview, the limitation has been amended to obviate the rejection. In addition, support for this feature can be found in the specification at, for example, paragraphs [0456] and [0474] of the published specification.

Regarding the feature "an accounting unit that charges for the executed incompatibility detection processing," as discussed and acknowledged during the interview, support for the feature can be found in the specification at, for example, paragraph [0440].

Accordingly, withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 1, 8 and 15 under 35 U.S.C. §112, second paragraph.

Regarding the feature "the incompatibility detection processing including image processing," as discussed during the interview and above, claims 1, 8 and 15 have been amended to obviate the rejection.

Regarding the feature of storing "the result of the incompatibility detection processing in a separate location from the image data," as discussed during the interview, claims 1, 8 and 15 have been amended to obviate the rejection.

Accordingly, withdrawal of the rejection is respectfully requested.

VI. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-3, 5-10, 12-17 and 19-21 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2003/0007173 to Nishide et al. (Nishide) in view of U.S. Patent Application Publication No. 2003/0140008 to Kawamoto. This rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, "an accounting unit that charges for the executed incompatibility detection processing." Independent claims 8 and 15 recite, *inter alia*, "charging for the executed incompatibility detection processing." The applied references fail to teach or suggest the recited features of independent claims 1, 8 and 15.

As discussed during the interview, the Office Action acknowledges that Nishide fails to teach or suggest the recited "charges for" or "charging" feature; however, the Office Action alleges that Kawamoto cures the deficiencies of Nishide. In particular, the Office Action asserts that Kawamoto discloses a fee schedule for use in calculating account information where the "gross price" is calculated based on "paper size," "media," "duplex," "number of copies," etc. See Fig. 10 and paragraphs [0069] - [0071] of Kawamoto. The account information of Kawamoto appears based solely on the output of the printer. In other words, the account information of Kawamoto requires that the print job be printed onto a sheet of paper and Kawamoto does not charge for the executed processing on the incompatible part of the print job. For example, if processing is performed and no pages are printed out then no charges occur. Thus, Kawamoto fails to teach or suggest an account unit that charges for the executed incompatibility detection processing. Nishide fails to cure the deficiencies of Kawamoto. Accordingly, the applied references, alone or in combination, fail to teach or suggest the recited features of independent claims 1, 8 and 15.

Accordingly, withdrawal of the rejection of the claims is respectfully requested.

VII. New Claims 22-24 Are Patentable

New claims 22-24 are added.

As discussed during the interview and above, the applied references fail to disclose "charges for the executed incompatibility detection processing" and "charges for a part of the print job of the executed second image processing, and does not charge for the entire print job."

The applied references do not disclose the recited "charges for a part of the print job of the executed second image processing, and does not charge for the entire print job" Generally, when combining is not performed, partial process charging or charging for a part of the print job occurs. Conversely, when charging is performed after a combining is

performed, as disclosed in Nishide, it is natural to charge for the entire process. Thus, it is not obvious to perform partial process charging even if combining is performed as in the present application.

Furthermore, the feature "the incompatible part subjected to the second image processing is combined with image constituent parts other than the incompatible part subjected to the second image processing" of the present application is different from the "merging of separate plates" described in paragraph [0066] of Nishide. Nishide merely discloses merging separate plates, but does not disclose combining (merging) incompatible part with parts other than the incompatible part.

Thus, new claims 22-24 are patentable at least due to their dependence on allowable independent claims 1, 8 and 15, respectively, and for the additional features they recite.

VIII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Obert H. Chu
Registration No. 52,744

JAO:OHC/mef

Attachment:
Petition for Extension of Time

Date: June 25, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
